



08-30

PATENT

Jrw ✓

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cudmore, et al. )  
)  
Serial No.: 10/770,918 ) Confirmation No. 1698  
)  
Filing Date: February 3, 2004 ) Art Unit: 3672  
)  
For: **System and Method for Optimizing** ) Attorney Docket No.: 102.0027 US  
**Production in an Artificially Lifted Well** )

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO RESET THE PERIOD FOR REPLY TO**  
**NOTICE OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

Dear Sir:

Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply and waive the fee for requesting an extension of time based on the following facts:

1. The subject application was filed on February 3, 2004. Our return postcard was date-stamped as received by the U.S. Patent and Trademark Office ("PTO") on February 3, 2004 and accorded Serial No. 10/770,918. A copy of the date-stamped postcard from the PTO is attached as Exhibit A.
2. On July 22, 2004, Rhonda Smith, the IP Administrator of Applicant's attorney, determined that the official Filing Receipt had not been received from the PTO, at which time Ms. Smith telephoned the Office of Initial Patent Examination ("OIPE") and inquired about the Filing Receipt.
3. In response to this phone inquiry, M. Young of the OIPE sent a copy of the Filing Receipt to Ms. Smith by fax. Included with the Filing Receipt was a Notice to File Missing Parts of

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8 & 1.10**

I hereby certify that this document and its attachments are being sent on the date indicated below to Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 by:

- ☐ facsimile to number \_\_\_\_\_  
☐ first class mail.  
☒ Express Mail: Post Office to Addressee No. EV 335954482 US

August 27, 2004  
Date

Rhonda J. Smith  
Rhonda J. Smith

08/31/2004 EFLDRES 00000001 502475 10770918

01 FC:1460 130.00 DA

Nonprovisional Application, which was originally dated as having been mailed from the PTO on May 3, 2004. A response deadline of two months to July 3, 2004 was set. A copy of this fax transmission from the OIPE is attached as Exhibit B.

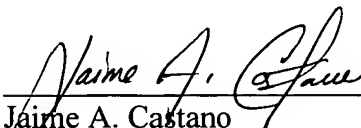
4. According to M. Young, since the official Filing Receipt and the Notice to File Missing Parts was not received until July 22, 2004, and the two-month time period in which to respond had expired, the OIPE should have set a new period for reply.
5. In response to M. Young's request, attached as Exhibit C is a print screen from Applicant's attorney's docketing system indicating that the deadline for filing a response to the Notice of Missing Parts was added to this record on July 26, 2004 by Gabriella Scott of attorney's office after receipt of the official Filing Receipt from the OIPE. Since the time period in which to respond had expired, and based on the statement of M. Young of the OIPE, an extended deadline of **September 22, 2004** (two months from receipt of the Notice to File Missing Parts) was docketed.

Based on this information, Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply based on the facts presented above with supporting documents, and waive the fee for requesting an extension of time. The resetting of this Period for Reply would then extend the deadline to **September 22, 2004**.

Please charge the Petition fee of \$130 as set forth in 37 CFR 1.17(h) to Deposit Account No. 50-2475. No additional fees are thought to be necessary. However, should such fees be deemed necessary, please charge any fees and credit any overpayment to Deposit Account No. 50-2475.

Respectfully Submitted,

Date: August 27, 2004

  
\_\_\_\_\_  
Jaime A. Castano  
Registration Number 41,660

Intellectual Property Counsel  
Schlumberger Reservoir Completions Center  
14910 Airline Road  
Rosharon, Texas 77583  
Phone (281) 285-5476  
Fax (281) 285-5537



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/770,918	
	Filing Date	February 3, 2004	
	First Named Inventor	Julian R. Cudmore	
	Art Unit	3672	
	Examiner Name		
Total Number of Pages in This Submission	18	Attorney Docket Number	102.0027 US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notice to File Missing Parts Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Jaime A. Castano
Signature	
Date	August 27, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Rhonda J. Smith		
Signature		Date	August 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

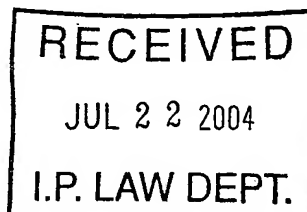


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

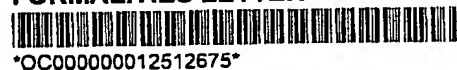
APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/770,918	02/03/2004	Julian R. Cudmore	102.0027

Schlumberger Technology Corporation  
Schlumberger Reservoir Completions  
14910 Airline Road  
P.O. Box 1590  
Rosharon, TX 77583-1590



CONFIRMATION NO. 1698

## FORMALITIES LETTER



\*OC000000012512675\*

Date Mailed: 05/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

DOCKETED ☒ UPDATED ☐  
RESPONSE: Non-Final ☐ FINAL ☐  
2 mos. \_\_\_\_\_ 3 mos. \_\_\_\_\_  
Action(s)/Date(s): RESPONSE  
09/22/04  
XL ☐ CPA ☐ Scan ☒ By: RJS

*A copy of this notice **MUST** be returned with the reply.*

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

# EXHIBIT A

Applicant: Julian R. Cudmore, et al. Docket No: 102.0027 February 3, 2004  
Serial No: To be assigned  
Date Filed: February 3, 2004  
For: System and Method for Optimizing Production in an Artificially Lifted Well

Dear Sir:

Kindly acknowledge receipt of the enclosed materials by placing your mailroom stamp on this postcard and returning same. The following items were transmitted by Express Mail on the above date:

1. Utility Patent Application Transmittal
2. Fee Calculation Sheet (in duplicate)
3. Specification, Claims and Abstract
4. Formal Drawings (11 sheets)
5. Information Disclosure Statement with Copies of Citations
6. Post card

22390 U.S. PTO  
10/770918



020304

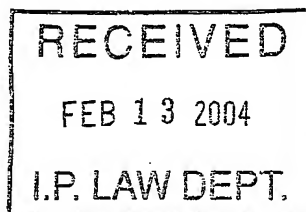
Thank you,

*Rhonda J. Smith*

Rhonda J. Smith  
Express Mail Label No. EV 335954434 US

mtv R's

## BEST AVAILABLE COPY

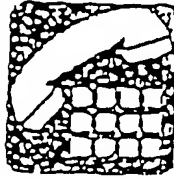


IP Law Department  
Schlumberger Reservoir Completions Center  
P.O. Box 1590  
Rosharon, Texas 77583-1590



U.S. Department of Commerce  
Patent and Trademark Office  
Office of Initial Patent Examination (OIPÉ)

EXHIBIT B



RECEIVED

JUL 22 2004

I.P. LAW DEPT.

DATE: July 22, 04 102.0027SEND TO: Rhonda SmithFax Number: 281-285-5537

Office Telephone Number: \_\_\_\_\_

FROM: M. Young

Fax Number: \_\_\_\_\_

Office Telephone Number: \_\_\_\_\_

Pages Sent (Including cover sheet) 13

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EXHIBIT C

CPA Memotech v32

File Edit View Directories Management Procedures Tools Print Windows 2

Patent Application [1] SYNCHRONIZED PRODUCTION OPTIMIZATION FOR ARTIFICIALLY DEFO

File number 102.0027 Country USA

Internal reference 6265082 Type KANAK WAYNE

Patent ID 6265082 Attorney KANAK WAYNE

Main Owners & CC Inventors Keywords Priorities Inter parts proceedings Others Licences

Division / Site / Project Division WELL COMPLETION AND PRODUCTIVITY IP Site WELL COMPLETION AND PRODUCTIVITY

Project ALXP

Agents Procedures Ref

Annually Local

Status Legal PENDING Prosecution Status PENDING Processed by

Current status Event FILING

Critical dates Date Number Filing 03/FEB/2004 10/770918 Publication Grant Abandon

Author of the last update Author Name SCOTT First name GABRIELLA Last update Date 26/JUL/2004 Time 03:32:14

PUBLICATION 03/AUG/2005 EXPIRY DATE 03/FEB/2024

SCHLUMBERGER SMITH@CP1 CPA Memotech INS CAPS NUM 8/26/2004 4:24 PM

CPA Memotech v32

File Edit View Selection Directories Management Tools Print Windows 2

Docketing system (102.0027-UNITED STATES OF AMERICA NATIONAL PATENT) (3/5)

List

Event	Nature	Due date	Reminder	Performed	C	Acknowledged	Amount USD	0
FILING		10/770918		03/FEB/2004				
OPEN				29/JUN/2004				
MISSING PARTS RESPONSE	DECLARATION	22/SEP/2004					0.00	
PUBLICATION		03/AUG/2005						
EXPIRY DATE		03/FEB/2024						

Main Workflow Awaiting letters

Event MISSING PARTS RESPONSE Nature DECLARATION

Due date 22/SEP/2004 Reminder Performed Acknowledgment

Time Invoice method Executive Working time X

Cost Information Direction Amount Currency

Amount (USD)

Comments Status

22/JUL/2004 Official Filing Receipt never received from PTO; per telephone request to PTO, Filing Receipt received by fax; original deadline to file Response 03/JUL/2004; file Response and Petition to waive fees for Extension of Time

SCHLUMBERGER SMITH@CP1 CPA Memotech INS CAPS NUM 8/26/2004 4:50 PM

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